



manifestly improper for failure to comply with 37 C.F.R. §1.475 and relevant provisions of the Manual of Patent Examining Procedure (MPEP).

The present application was filed under 35 U.S.C. §371 as a U.S. national stage application under the Patent Cooperation Treaty.

As stated in §1895.01(4) of the MPEP:

Restriction practice in both international and national stage applications is determined under unity of invention principles as set forth in 37 C.F.R. 1.475 and 1.499. Restriction practice under 35 U.S.C. 121, as it applies to national applications submitted under 35 U.S.C. 111(a), is not applicable to either international or national stage applications.

According to 37 C.F.R. 1.475(b):

An international or national stage application containing claims to different categories of invention will be considered to have unity of invention if the claims are drawn only to one of the following combinations of categories: . . .

(2) a product and a process of use of said product; . . .

The claims of the present application are drawn to two such categories of invention.

Because it is clear that the April 30, 1996 Official Action fails to comply with the appropriate U.S. Patent and Trademark Office rules in setting forth the restriction requirement, it is respectfully submitted that the requirement should be reconsidered and withdrawn.

Respectfully submitted,

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